



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

SEP 19 2006

Via Federal Express

Ms. Jamee L. Patton

Alexandria, Ohio 43001

RE: MUR 5812
Jamee L. Patton

Dear Ms. Patton:

In the normal course of carrying out its supervisory responsibilities, the Federal Election Commission (the "Commission") became aware of information suggesting you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). On September 12, 2006, the Commission found reason to believe that you violated 2 U.S.C. § 432(b)(3) and 11 C.F.R. § 102.15, provisions of the Act. Enclosed is the Factual and Legal Analysis that sets forth the basis for the Commission's determination.

We have also enclosed a brief description of the Commission's procedures for handling possible violations of the Act. In addition, please note that you have a legal obligation to preserve all documents, records and materials relating to this matter until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519. In the meantime, this matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed Designation of Counsel form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

We look forward to your response.

Sincerely,


Michael E. Toner
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

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FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Jamee L. Patton

MUR: 5812

I. INTRODUCTION

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. *See* 2 U.S.C. § 437g(a)(2). Based upon such information and the analysis below, there is reason to believe that Jamee L. Patton violated 2 U.S.C. § 432(b)(3) and 11 C.F.R. § 102.15.

II. FACTUAL AND LEGAL ANALYSIS

The Ohio State Medical Association Political Action Committee ("OSMAPAC" or "Committee") has been registered with the Commission as a political committee since 1972. According to the Committee, Patton embezzled \$83,570 by disguising 57 checks as contributions to the American Medical Association PAC ("AMAPAC"), a political committee with which OSMAPAC is affiliated. Patton only noted the unauthorized disbursements in OSMAPAC's internal accounting records; the payments were not disclosed in the Committee's FEC disclosure reports.¹ Thus, OSMAPAC's accounting records showed that it contributed \$266,725 to AMAPAC between December 1, 2001 and May 19, 2005, while FEC reports disclosed that OSMAPAC contributed \$183,155 during the same time period. *See* Attachment 1 (chart

¹ Apparently, Patton had some responsibility for preparing FEC disclosure reports because the Commission's Reports Analysis Division analyst spoke to Patton on occasion about the reports

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showing Patton's checks to herself and OSMAPAC contributions to AMAPAC). Because the unauthorized payments were not disclosed on the FEC reports, the FEC reports have inaccurately shown that the Committee had more cash on hand than it actually had:

	Year End Reported Cash on Hand	Actual Cash on Hand²
2000	\$44,564	\$42,564 (Patton took \$2,000)
2001	\$132,387	\$126,387 (Patton took \$6,000)
2002	\$177,993	\$150,073 (Patton took \$27,920)
2003	\$205,971	\$183,521 (Patton took \$22,450)
2004	\$216,264	\$198,014 (Patton took \$18,250)
2005	\$127,533	\$120,583 (Patton took \$6,950)

The Act prohibits the commingling of committee funds with "the personal funds of any individual." See 2 U.S.C. § 432(b)(3) and 11 C.F.R. § 102.15. The available information indicates that Patton wrote 57 checks totaling \$83,570 to herself from the Committee's account without authorization. Therefore, there is reason to believe that Patton knowingly and willfully violated 2 U.S.C. § 432(b)(3) and 11 C.F.R. § 102.15 by commingling Committee funds with her personal funds.

Attachment: Chart

² This figure only takes into account the unauthorized disbursements to Patton.

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ATTACHMENT 1

The following chart lists the checks by date that Patton wrote to herself but disguised as contributions to AMAPAC. The second column lists actual contributions to AMAPAC, as disclosed in OSMAPAC's disclosure reports.

<u>DATE</u>	<u>AMOUNT TO PATTON</u>	<u>AMAPAC CONTRIBUTION</u>
12/01/00	\$2,000	
01/10/01		\$6,610
02/20/01		\$1,700
03/15/01		\$10,450
04/12/01		\$6,850
04/17/01	\$1,000	
05/07/01	\$1,000	
05/10/01		\$3,500
06/20/01		\$5,850
08/16/01	\$ 500	
08/22/01		\$4,400
09/13/01	\$1,000	
10/05/01	\$1,000	
10/29/01		\$2,050
10/29/01		\$8,900
11/06/01	\$1,500	
01/25/02		\$8,300
01/31/02	\$ 700	
03/19/02	\$ 500	
04/01/02		\$20,000
04/10/02	\$ 750	
04/29/02	\$1,000	
05/04/02	\$ 750	
05/08/02		\$6,350
06/20/02	\$ 3,000	
07/10/02		\$5,900
07/14/02	\$ 1,000	
08/12/02	\$ 2,000	
08/ /02 ¹	\$13,220	
08/30/02	\$ 1,000	
09/13/02		\$1,500
10/07/02	\$ 1,000	
11/09/02	\$ 500	
11/11/02	\$ 1,500	

¹ The date of this check is reported as "08/1B/02."

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<u>DATE</u>	<u>AMOUNT TO PATTON</u>	<u>AMAPAC CONTRIBUTION</u>
12/03/02	\$ 1,000	
01/15/03	\$ 1,000	
01/27/03		\$14,400
02/25/03	\$ 1,000	
03/04/03	\$ 1,000	
03/12/03		\$9,300
03/24/03	\$ 750	
03/28/03	\$ 500	
04/08/03	\$ 500	\$1,800
04/25/03	\$ 1,200	
05/13/03	\$ 1,250	\$2,150
05/21/03	\$ 750	
06/04/03	\$ 1,250	
06/10/03		\$5,050
07/17/03	\$ 1,250	\$3,310
08/05/03	\$ 2,000	
08/29/03		\$750
09/10/03	\$ 500	
09/23/03	\$ 500	
10/03/03	\$ 1,250	
10/15/03		\$1,500
11/04/03	\$ 1,250	
12/02/03	\$ 1,250	
12/17/03	\$ 2,000	
12/23/03	\$ 1,500	
01/15/04	\$ 1,000	
01/29/04		\$5,050
02/06/04		\$2,035
02/27/04	\$ 1,500	
03/11/04		\$4,730
03/17/04	\$ 1,500	
04/15/04		\$7,700
05/03/04	\$ 1,500	
05/13/04	\$ 750	
05/25/04		\$5,815
05/26/04	\$ 4,000	
06/24/04	\$ 2,000	
09/10/04	\$ 1,500	
10/25/04		\$10,495
11/01/04	\$ 2,500	
11/15/04	\$ 2,000	
01/03/05	\$ 2,500	
02/02/05	\$ 1,500	
03/14/05		\$6,460

DATE**AMOUNT TO PATTON****AMAPAC CONTRIBUTION**

04/05/05

\$ 500

04/12/05

\$ 750

\$10,250

04/26/05

\$ 1,200

05/19/05

\$ 500

TOTAL:**\$83,570****\$183,155**

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